

Remarks

The Office Action dated April 13, 2009 lists the following new grounds of rejection: claims 9 and 12 stand rejected under 35 U.S.C. § 102(b) over Ohta (U.S. Patent Pub. 2001/0033278); and claims 1-8, 10-11 and 13-14 stand rejected under 35 U.S.C. §103(a) over the '278 reference. In the discussion set forth below, Applicant does not acquiesce to any rejection or averment in this Office Action unless Applicant expressly indicates otherwise.

Applicant respectfully traverses the § 102(b) and § 103(a) rejections because the cited '278 reference lacks correspondence. For example, the '278 reference does not teach the claimed invention "as a whole" (§ 103(a)) including aspects regarding, *e.g.*, deactivating row outputs of a row drive circuit in a partial mode of operation of a display device. As such, the § 102(b) and § 103(a) rejections fail.

More specifically, the '278 reference does not teach deactivating the row outputs of a row drive circuit by preventing the row outputs from driving the display. Instead, the, '278 reference teaches that the drive signals provided by gate driver 3 (*i.e.*, the asserted row drive circuit) are simultaneously applied to the respective scanning lines in the non-display portions 1b and 1c of display 1. *See, e.g.*, paragraphs 0054 and 0056. Thus, the '278 reference does not teach preventing the gate driver 3 from driving selected rows of display 1 in the partial mode, as in the claimed invention, but instead teaches that all rows of the display 1 are driven in the partial mode, with certain rows of the display 1 (*i.e.*, portions 1b and 1c) being driven simultaneously. Therefore, the '278 reference does not correspond to the claimed invention.

Moreover, the '278 reference teaches away from preventing the row drive circuit from driving selected rows of the display in the partial mode. Consistent with the recent Supreme Court decision, M.P.E.P. § 2143.01 explains the long-standing principle that a §103 rejection cannot be maintained when the asserted modification undermines either the operation or the purpose of the main ('278) reference - the rationale being that the prior art teaches away from such a modification. *See KSR Int'l Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 1742 (2007) ("[W]hen the prior art teaches away from combining certain known elements, discovery of a successful means of combining them is more likely to be non-obvious."). In this instance, the '278 reference teaches that the partial mode is

effected by simultaneously applying drive signals to the respective scanning lines in the non-display portions 1b and 1c of display 1, as discussed above. As such, the '278 reference teaches away from preventing the row drive circuit from driving selected rows of the display because such a modification would change the principle of operation of the '278 reference. *See, e.g.*, M.P.E.P. § 2143.01 ("If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious."). Accordingly, such a modification of the '278 reference is not "a matter of obvious choice to one of ordinary skill in the art" (*see* page 5 of the instant Office Action) and there is no motivation for the proposed modification of the '278 reference.

In view of the above, the § 102(b) and § 103(a) rejections are improper and Applicant requests that they be withdrawn.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Aaron Waxler, of NXP Corporation at (408) 474-9063 (or the undersigned).

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